



## STATE OF ARIZONA

JANICE K. BREWER  
GOVERNOR

EXECUTIVE OFFICE

April 6, 2010

The Honorable Barack Obama  
The President of the United States  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

Let me begin by thanking you for your support of my request to designate certain portions of Arizona as major disaster areas due to damage caused by severe winter storms in January of this year. State and local funding challenges make responding to emergencies associated with natural disasters difficult without assistance from the federal treasury. This assistance is extremely important for meeting people's immediate needs and to finance the difficult process of community recovery.

There is yet another emergency facing Arizona, but this one is not the result of a natural disaster. In contrast, this emergency has been the result of decades of neglect and an ongoing unwillingness of the federal government to fully shoulder its Constitutional duty to secure our country's southern border with Mexico.

Arizona roads and open spaces have become some of the main, if not the main, land thoroughfares for illegal alien traffic and illegal smuggling operations—drugs, arms and humans. Arizonans are at risk from these activities whether they live on or near the border itself, or elsewhere in our State. It seems to be an everyday occurrence that a drop house is found or a cache of weapons or drugs is seized.

While all Americans are at risk, the dangers are particularly apparent for those persons living along the border. I am sure you are aware that an Arizona rancher in southeastern Cochise County was recently killed. Although the matter is still under investigation, the evidence seems to point to the victim being killed as part of border-related criminal activity. If this were a single incident, I might not seek your assistance. On the contrary, though, there are numerous examples of violence that has spilled north over the border in Texas, New Mexico, California and Arizona.

In April of last year, I joined with the Governors from these three other states to request Congressional support for additional funding of Title 32 National Guard assistance to law enforcement. Earlier, Governor Perry and I, in separate actions in January and March 2009, respectively, asked for this support from your Departments of Defense and Homeland Security. During the months that have followed, I was assured on more than

one occasion that the support would be forthcoming. My Adjutant General had gone as far as seeking volunteers for the slots that we believed would be funded. My request was very reasonable—250 additional troops to bring Arizona Joint Counter Narco-Terrorism Task Force (JCNTF) to approximately 400 Soldiers and Airmen.

The support, however, never came.

I respectfully ask that you act now and provide additional JCNTF support.

This support will allow law enforcement elements—potentially in all jurisdictions—to more effectively complete their missions because of assistance provided by the National Guard. By providing additional JCNTF troops, we boost intelligence, logistics, inspections, reconnaissance/surveillance and other activities that enable law enforcement to more effectively focus and deploy the resources available to them. National Guard troops can and have assisted Customs and Border Protection (CBP) personnel to help that agency achieve a higher state of readiness and responsiveness. Recon/Surveillance assets provide early warning to federal and local law enforcement of possible illegal border activity. National Guard aviation activity supplements CBP work to ensure gaps are covered more effectively. Skilled intel operators serve in roles that support coordinated and unified counter-terrorism and counter-crime centers. In addition to these capabilities, there are a number of other missions that the JCNTF can accomplish in support of law enforcement.

This kind of support reflects an appropriate amount of military activity and results in a solution that avoids sending a wrong message to Mexico and other neighbors to the south. I am a supporter of legal trade, business and tourism with Mexico and Latin America. I have resisted, and will continue to resist, demonizing entire nations because of the criminal acts of a relative few. To be clear, however, enforcing our laws on immigration and maintaining vigilance on the border are neither punitive nor threatening if done properly.

I support federal law enforcement as the primary solution to border security. Given the fact that National Guard personnel serving on JCNTF conduct all activities in a support role to local, state, and federal law enforcement agencies, I believe increasing JCNTF activities is the most appropriate military action to take at this time. Contrary to the concerns of some, additional JCNTF troop levels do not result in “militarizing the border.”

Along with additional JCNTF resources to better support law enforcement, I also want to take this opportunity to ask for you to consider the matter of border fence construction, improvements and maintenance. By coordinating actions with Arizona and other states, the fence can be a better deterrent. Absent observation and enforcement activities, the fence has limited value. If not maintained and improved, it will have no value. I believe there are ways to bring federal fence costs down through better equipment procurement methods and the possible use of state inmate labor. Please know that the State of



Arizona, the Arizona National Guard and others stand ready to work with you on this matter.

Beyond the federal requests above, I am also evaluating other options. One is the use of National Guard troops on State Active Duty. Enacting a State Active Duty option remains a possibility, but we would be very challenged in sustaining any serious commitment given Arizona's difficult fiscal situation. In addition, the limitations on benefits available to National Guard troops while serving on State Active Duty poses another significant difficulty for sustaining a force. I have also considered options other than State Active Duty (e.g., refocusing Annual Training plans to border security missions), but I believe the numerous challenges associated with authorization, financing, sustainability and/or conflicts with wartime missions/priorities make such alternatives suboptimal choices relative to the JCNTF proposal.

Concurrent with the JCNTF request, I am looking at ways to better support local law enforcement. I have had extensive interaction with key members of my Security Cabinet about developing support concepts and will soon be rolling out additional plans to County Sheriffs and other law enforcement representatives. As part of my overall efforts, I will be contacting you and Secretary Napolitano at a later date to discuss Operation Stonegarden monies and the role those funds play in border security efforts.

These efforts would be nonexistent without the dedicated labor and expertise of countless federal, state and local personnel currently working lonely, dangerous and, all too often, thankless duty on the border. My requests should not be taken as any diminishment of, or disrespect for, their labor. On the contrary, with additional support, I believe their efforts can be even more effective.

Your Administration has an opportunity to emphasize border security in ways that are effective, prudent and fair. I am willing to do my part in such a direction. I cannot, however, accept the idea that border security is a responsibility of the Border States. We are already burdened with a disproportionate share of costs of arrest/prosecution/incarceration of criminal aliens. As I have stated in previous correspondence and a personal discussion, we should be reimbursed by the federal government for these costs that are the direct result of inadequate border control/security. We face other significant unreimbursed costs due to the negative consequences of illegal border-related activity on residences, businesses and whole communities. Our state and local government agencies, law enforcement jurisdictions and the non-profit sector are all stretched thin trying to address the enormity of the challenge.

I believe that supplementing the existing JCNTF personnel to bring the total to approximately 400 Army and Air National Guard Soldiers and Airmen makes the most sense at this time. As I said last year, I am supportive of higher troop strength numbers, but I want to ensure we can effectively deploy more than 250 additional personnel, and that the missions to which such additional personnel will be assigned are both meaningful and valuable.

Letter to President Obama – Border Security  
April 6, 2010  
Page 4 of 4

In closing, I urge you to take very seriously the challenges faced by Arizona and the other three southwestern Border States. I also urge you to respond to these challenges by approving the requests I have made in this correspondence. Please call on me if there is anything I can do to answer any questions or concerns you may have.

Thank you for your consideration.

Sincerely,

  
Janice K. Brewer  
Governor

JB:bcm

cc: The Honorable Robert Gates, Secretary, Department of Defense  
The Honorable Janet Napolitano, Secretary, Department of Homeland Security  
The Honorable Joe Biden, Vice President  
The Honorable Nancy Pelosi, Speaker of the House  
The Honorable Harry Reid, Senate Majority Leader  
The Honorable Mitch McConnell, Senate Minority Leader  
The Honorable John Boehner, House Minority Leader  
The Honorable Arnold Schwarzenegger, Governor of California  
The Honorable Bill Richardson, Governor of New Mexico  
The Honorable Rick Perry, Governor of Texas  
Senator Jon Kyl  
Senator John McCain  
Representative Jeff Flake  
Representative Trent Franks  
Representative Gabrielle Giffords  
Representative Raul Grijalva  
Representative Ann Kirkpatrick  
Representative Harry Mitchell  
Representative Ed Pastor  
Representative John Shadegg